

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**UNITED STATES OF AMERICA**

**vs.**

**HEON JONG YOO**

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**CASE NO. 6:18CR16**

**APPELLATE IN FORMA PAUPERIS  
DEFICIENCY ORDER**

Before the Court is Defendant's Notice of Appeal (ECF 178). Defendant seeks to pursue an interlocutory appeal of the Court's ruling concerning pretrial detention. Within the notice, Defendant seeks to proceed *in forma pauperis* on his interlocutory appeal and he requests transcripts at government expense. Defendant did not submit an affidavit in support of his motion to proceed *in forma pauperis*. The Court's standard form for a motion to proceed *in forma pauperis*, including affidavit in support, is attached. Defendant must complete the form and affidavit before the Court can resolve the motion to proceed *in forma pauperis* and the motion seeking transcripts at government expense. In addition, because Defendant is currently confined in a county jail, Defendant shall submit a copy of his inmate account activity report or its equivalent. Defendant may obtain a printout of his inmate account activity report from any jail official who manages inmate accounts. It is therefore

**ORDERED** that Defendant has **twenty days** from the receipt of this Order to complete and file the attached application to proceed *in forma pauperis*, together with a printout of his inmate account activity report or its equivalent. Defendant is placed on notice that his appeal may

be dismissed if he fails to either pay the requisite filing fee or submit the completed application to proceed *in forma pauperis*, together with his inmate account activity report.

So ORDERED and SIGNED this 2nd day of November, 2018.

  
\_\_\_\_\_  
K. NICOLE MITCHELL  
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

\_\_\_\_\_  
(Plaintiff)

vs

Case No. \_\_\_\_\_

\_\_\_\_\_  
(Defendant)

MOTION TO PROCEED IN FORMA PAUPERIS

I, plaintiff, \_\_\_\_\_,

respectfully moves this Honorable Court for leave to proceed in this matter without payment of fees, costs, or security.

Attached hereto is an affidavit in support of my motion to proceed in forma pauperis.

Respectfully submitted,

Plaintiff \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone \_\_\_\_\_

Date \_\_\_\_\_

AFFIDAVIT IN SUPPORT OF MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

INSTRUCTIONS: Complete all questions in this affidavit and then sign it. Do not leave any blanks. If the answer to a question is "0", "none", or "not applicable (NA)", write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

1. Are you presently employed? YES \_\_\_\_\_ NO \_\_\_\_\_

(a) If the answer is "YES", state the amount of your gross salary or wages per month and give the name and address of your employer.

\$\_\_\_\_\_ per month

Employer \_\_\_\_\_

\_\_\_\_\_

(b) If the answer is "NO", state the date of last employment and the amount of the gross salary and wages per month which you received.

\$\_\_\_\_\_ per month

Employer \_\_\_\_\_

\_\_\_\_\_

2. Is your spouse presently employed? YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", state the gross amount of his/her salary or wages per month and give the name and address of his/her employer.

\$\_\_\_\_\_ per month

Employer \_\_\_\_\_

\_\_\_\_\_

3. Have you or your spouse received within the past twelve (12) months any money from any of the following sources:

- (a) Business, profession, or form of self-employment? YES \_\_\_\_\_ NO \_\_\_\_\_
- (b) Rent payment, interest or dividends? YES \_\_\_\_\_ NO \_\_\_\_\_
- (c) Pensions, annuities, or life insurance payment? YES \_\_\_\_\_ NO \_\_\_\_\_
- (d) Gifts or inheritances? YES \_\_\_\_\_ NO \_\_\_\_\_
- (e) Any other sources? YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer to any of the above questions is "YES", describe each source of money and state the amount received from each during the last twelve (12) months and by whom.

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4. How much cash do you and your spouse have? \$ \_\_\_\_\_.

5. List any money you or your spouse have in bank accounts or in any other financial institution and the name of the financial institution.

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6. List the assets and the values which you or your spouse own. Do not list clothing and ordinary household furnishings.

Home Address \_\_\_\_\_

Value of Home \_\_\_\_\_

Motor Vehicle #1 Make, Year, Model \_\_\_\_\_

Value of Motor Vehicle #1 \_\_\_\_\_

Motor Vehicle #2 Make, Year, Model \_\_\_\_\_

Value of Motor Vehicle #2 \_\_\_\_\_

7. Do you or your spouse own any other real estate, stocks, bonds, notes, automobiles, or other valuable property not listed above (excluding ordinary household furnishings and clothing)?

YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", describe the property and state its approximate value.

\_\_\_\_\_  
\_\_\_\_\_

8. List the persons who are dependent upon you or your spouse for support, state your relationship to those persons, and indicate how much you contribute toward their support.

\_\_\_\_\_  
\_\_\_\_\_

9. Do you expect any major changes to your spouse's monthly income or expenses or in your or your spouse's assets or liabilities during the next 12 months?

YES \_\_\_\_\_ NO \_\_\_\_\_

If yes, describe below or on an attached sheet.

\_\_\_\_\_  
\_\_\_\_\_

10. Estimate the average monthly expenses of you and your family. If different, list separately the amounts paid by your spouse.

Rent or home-mortgage payment \_\_\_\_\_

Utilities (electricity, heating fuel, water, sewer, and phone) \_\_\_\_\_

Home maintenance (repairs and upkeep) \_\_\_\_\_

Food \_\_\_\_\_

Clothing \_\_\_\_\_

Laundry and dry-cleaning \_\_\_\_\_

Medical and dental expenses \_\_\_\_\_

Transportation (not including motor vehicle payments) \_\_\_\_\_

Recreation, entertainment, newspapers, magazines, etc. \_\_\_\_\_

Insurance (not deducted from wages or include in mortgage payments)

Homeowner's or renter's insurance \_\_\_\_\_

Life insurance \_\_\_\_\_

Health insurance \_\_\_\_\_

Motor vehicle insurance \_\_\_\_\_

Other insurance \_\_\_\_\_

Taxes (not deducted from wages or included in mortgage payments) \_\_\_\_\_

Installment payments

Motor vehicle \_\_\_\_\_

Credit card \_\_\_\_\_

Department store credit card \_\_\_\_\_

Other installment payments \_\_\_\_\_

Alimony, maintenance and support paid to others \_\_\_\_\_

Regular expenses for operation of business, profession, or farm (attach a detailed  
statement) \_\_\_\_\_

Other expenses \_\_\_\_\_

11. Provide any other information that will help explain why you cannot pay the filing fees for your case.

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I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the filing fees of my case. I believe that I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct.  
(28 U.S.C. 1746, 18 U.S.C. 1621)

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Signature of Applicant